



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,790	01/16/2004	William J. Beyda	2000 P 09085 US 01	8157
7590 03/30/2007 Elsa Keller Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830			EXAMINER ANWAH, OLISA	
			ART UNIT 2614	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	03/30/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/759,790	Applicant(s) BEYDA, WILLIAM J.	
	Examiner Olisa Anwah	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 1-14 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-19 and 21-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15-17, 19, 21-23 and 25 are rejected under 35 U.S.C. § 102(b) as being anticipated by Goldman et al, European Patent Publication No. 0,588,101 (hereinafter Goldman).

Regarding claim 15, Goldman discloses a telecommunications system (see Figure 6), comprising:

a voice message (see the calling party can leave a message from column 16) storage and retrieval unit (see Stored Message Apparatus 46 from column 16);

a Caller ID data recording unit configured to record Caller ID data (see message header from column 16) from callers (see calling party at station 31 from column 16) calling said system;

an interface configured to transmit (see is placed from column 16) the recorded Caller ID data to a remote location (see

Art Unit: 2614

Callback Number register 80 from column 16) when the recorded messages are retrieved; and

a call control system local to a caller calling the system and configured to receive the transmitted Caller ID data;

wherein said call control system includes a Caller ID storage and retrieval unit configured to cause a number (see the number stored in the Callback Number register from column 17) corresponding to received Caller ID data to be called (see call back the originator from column 17) by said call control system.

Regarding claim 16, see Figure 6.

Regarding claim 17, see Figure 6.

Regarding claim 19, see Figure 6.

Regarding claim 21, Goldman discloses a telecommunications method, comprising:

recording messages (see the calling party can leave a message from column 16) from callers (see calling party at station 31 from column 16) calling an answering device (see Figure 6);

recording Caller ID data (see message header from column 16) from the callers calling said answering device;

Art Unit: 2614

transmitting (see is placed from column 16) the recorded Caller ID data to a remote location (see Callback Number register 80 from column 16) when the recorded messages are retrieved; and

wherein said transmitting comprises transmitting the recorded Caller ID data to an apparatus in a call control system wherein said call control system includes a Caller ID storage and retrieval unit configured to cause a number (see the number stored in the Callback Number register from column 17) corresponding to received Caller ID data to be called (see call back the originator from column 17) by said call control system.

Regarding claim 22, see Figure 6.

Regarding claim 23, see Figure 6.

Regarding claim 25, see Figure 6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at

Art Unit: 2614

the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18 and 24 are rejected under 35 U.S.C § 103(a) as being unpatentable over Goldman in further view of Kang et al, U.S. Patent No. 6,094,475 (hereinafter Kang).

As per claims 18 and 24, Goldman does not explicitly mention the call control system is a wireless carrier system. Regardless, Kang discloses this nifty feature (see Figure 1). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Goldman with the wireless carrier system of Kang. This modification would have improved the flexibility of Goldman by utilizing any type of switching system as suggested by Goldman (see column 3).

Response to Arguments

5. In response to Applicant's argument that the references fail to show certain features of Applicant's invention, it is noted that the features upon which Applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van*

Art Unit: 2614

Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). More specifically, Applicant argues that the remotely transferred number of Goldman is not itself used to call back the message leaving party. However Applicants claims do not recite that the remotely transferred number, is itself used to call back the message leaving party. Rather, Applicants claims broadly claim caus[ing] a number corresponding to received Caller ID data to be called by the call control system. Because the number dialed (see This will connect subscriber 21 to the original calling party 31 from column 17) by the call control system of Goldman corresponds to received Caller ID data, Goldman teaches all the claimed limitations as presently claimed.

Applicant also alleges that Goldman does not provide a remote call control system as generally recited in the claims at issue. The Examiner respectfully disagrees. Because the system of Goldman receives transmitted Caller ID data and because the system of Goldman calls a number corresponding to the received Caller ID data (see This will connect subscriber 21 to the original calling party 31 from column 17), Goldman discloses the claimed call control system.

Art Unit: 2614

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

Art Unit: 2614

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

CA

Olisa Anwah
Patent Examiner
March 26, 2007


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600